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and if the Plaintiff shall not make sufficient Proof against the said Garnishee, he shall pay him his Costs, and (if need be) the said Justice shall issue his Execution against him for the same.

16. AND BE IT FURTHER ENACTED by the Authority aforesaid, that all and every Attachment now depending, or which were depending and undetermined in any Court of this Colony, shall and may be proceeded on by Virtue of this Act.

17. AND BE IT FURTHER ENACTED by the Authority aforesaid, that this Act shall be and continue in Force for the Space and Term of Seven Years from and after the Publication hereof, and from thence to the End of the next Session of the General Assembly of this Province thereafter, and no longer.

This Act to continue in force 7 Years.

C H A P. CII.

An ACT for the more effectual preventing of Lotteries, playing of Cards and Dice, and other Gaming for lucre of Gain, and to restrain the abuse of Horse Racing within this Colony for the future.

Seet. 1. **W**HEREAS Lotteries, playing of Cards and Dice, and other Gaming for lucre of Gain, are become of late, frequent and common within this Colony, whereby many Persons have unjustly gained to themselves great Sums of Money from unwary Persons, as well as Children and Servants, tending to the manifest Corruption of Youth, and the ruin and impoverishment of many poor Families. And whereas such pernicious Practices and desire of unlawful Gain, may not only give frequent Opportunities to evil minded Persons, to cheat and defraud divers of the honest Inhabitants of this Colony, but may in Time (if not prevented) ruin the Credit thereof, and be a hindrance

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hindrance to Trade and Industry, and a great Temptation to Vice, Idleness and Immorality, and consequently against the common Good, Welfare and Peace of his Majesty's Government. Wherefore We, the House of Representatives, being very desirous to remedy such growing Evils, and to prevent such mischievous and unlawful Practices, for the future, do pray that it may be enacted.

No Person to
be a Lottery
or Lottery
or Lottery

Persons or Sels
of Tickets
or Tickets
or Tickets

2. AND BE IT ENACTED by the Governor, Council and General Assembly of this Colony, and it is hereby enacted by the Authority of the same, that no Person or Persons whatsoever, from and after the Publication hereof, shall publicly or privately erect, set up, or make, or cause to be made by way of Advertisement, or otherwise, any Lottery or Lotteries whatsoever within this Colony, that shall or may any ways depend upon or be determined by Lot or Chance of what Nature or Kind soever: And if any Person or Persons shall hereafter erect, set up, make, or cause to be made as aforesaid, any Lottery or Lotteries, for Money, Goods, Wares or Merchandizes, Lands, or Tenements, or other Matter or Thing whatsoever, within this Colony, contrary to the true Intent and Meaning of this Act, every such Person or Persons so offending, shall forfeit and pay the Sum of *Five Hundred Pounds*, Proclamation Money of this Colony, for every such Offence. And all and every Person and Persons whatsoever, that shall buy or sell any Ticket or Tickets in such Lottery, or that are, or shall, or may be aiding, assisting, or any ways concerned in the management, conducting or carrying on of such Lottery or Lotteries, (by whatsoever Name or Names such Lottery or Lotteries may be called) every such Person or Persons shall forfeit and pay the Sum of *One Hundred Pounds*, Proclamation Money aforesaid, for every such Offence; which several Sums and Forfeitures shall be sued for and recovered by any Person or Persons who shall and will sue for the same, in any Court of Record within this Colony, by Action of Debt, Bill, Plaint or Information, wherein no Pardon, Protection or Wager of Law, or any more than one Imparance shall be allowed; any Law, Usage or Custom to the contrary thereof notwithstanding. Of all which Forfeitures to be recovered as aforesaid, one half shall be paid to the Treasurers of the respective Divisions of this Province, for the Time being, where the same shall be sued for, for the Use of His Majesty, His Heir, and Successors, for and towards the Support of this

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this Government, and the other half to the Person or Persons who shall sue for the same as aforesaid, with double Costs of Suit.

3. AND BE IT FURTHER ENACTED by the Authority aforesaid, That all Cock fightings, playing of Cards and Dice, Rattling, and Ballottings, for lucre of Gain, and that shall or may depend upon, or be determined by Lot or Chance, shall from henceforth be declared and adjudged publick Nuisances, and the same are hereby declared and adjudged publick Nuisances, and the Authors, Parties, Contrivers and Abettors thereof, and every of them, shall be adjudged common Disturbers of the publick Peace, and as such shall and may be prosecuted and proceeded against according to the Laws of that Part of *Great-Britain* called *England*, in that Case made and provided: And all Wagers, Bets and Agreements made by any Person or Persons whatsoever thereon, or in any of the said Cases, shall be, and are hereby declared null and void to all Intents and Purposes whatsoever.

4. AND BE IT FURTHER ENACTED by the Authority aforesaid, That after the Publication of this Act, all Horse Racing, Pacing or Trotting of Horses, for lucre or Gain, or for any Sum or Sums of Money, at any Time (excepting such Times as are hereafter expressly provided for and allowed by this Act) shall be and are hereby declared publick Nuisance, and shall be prosecuted as publick Nuisances in Manner herein before directed.

5. PROVIDED ALWAYS, and it is the true Intent and Meaning of this Act, that at all Fairs that are or may be held within this Province, and that on the first working Day after the three grand Festivals of *Christmas*, *Easter* and *Whitsuntide*, it shall and may be lawful for any Person or Persons within this Province, to Run, Pace, or Trot Horses for any Sum or Sums of Money not exceeding the Sum of *Forty Shillings*, or for any Thing not exceeding the Value of such Sum of *Forty Shillings*, but at no other Time whatsoever. And if any Person or Persons shall, contrary to the true Intent and Meaning of this Act, at such Times as are herein and hereby allowed, presume to Bet, Wage or Stake any Sum or Sums of Money, or any Thing in Value above the said Sum of *Forty Shillings*, on any Horse Racing, Pacing or Trotting, such Person or Persons so offending, shall forfeit the Sum of *Five Pounds* to be recovered

recovered by Action of Debt before any one Justice of the Peace, by any Person who shall prosecute the same to effect, with full Costs of Suit, to be applyed one half to his or their own proper Use, and the other half to the Use of the Poor of such City or Township where the Offence is committed, and all such Betts, Wagers and Stakes are hereby declared void.

To Corporations. 6. PROVIDED ALSO, and it is the true Intent and Meaning of this Act, that it shall and may be lawful for any Body Politick or Body Corporate within this Province, on such Days as are herein allowed for that Purpose, and on no other, for the Encouragement of breeding, riding and managing of good Horses, to cause or suffer any piece of Plate, or any Sum of Money they shall think proper, not exceeding the Value or Sum of *Twenty-five Pounds*, to be run, paced or trotted or otherwise rid for, by two or more Horses as they shall think fit; any Thing in this Act contained to the contrary in any wise notwithstanding.

What part of former Act Repealed. 7. AND BE IT FURTHER ENACTED by the Authority aforesaid, that so much of an Act passed in the fourth Year of the Reign of His present Majesty King GEORGE the Second, entitled, *An Act for the preventing of Lotteries and for regulating of Pedlars*, as concerns Lotteries, Raffleing and Balloting, be and is hereby Repealed; any Thing therein contained to the contrary notwithstanding.

C H A P. CIII.

An ACT to enable the Inhabitants of the County of Middlesex to build a Work-House and House of Correction within the said County, and to make Rules and Orders for the Government of the same.

Preamble. Sect. 1. WHEREAS divers of the Inhabitants of the County of *Middlesex*, have humbly certified to the General Assembly by their Petition, that the Numbers